

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re Application of:**

Simmons et al.

**Serial No.:** 10/783,981

**Filed:** February 19, 2004

**For:** CONTAINERS, SLEEVES AND LIDS  
THEREFOR, ASSEMBLIES THEREOF,  
AND HOLDING STRUCTURE THEREFOR

**Confirmation No.:** 4403

**Examiner:** C. McKinley

**Group Art Unit:** 3781

**Attorney Docket No.:** 3141-6218US

VIA ELECTRONIC FILING  
APRIL 17, 2008

**REQUEST TO APPLY PREVIOUSLY PAID ISSUE FEE TO ISSUE FEE REQUIRED  
BY NEW NOTICE OF ALLOWANCE**

Mail Stop ISSUE FEE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

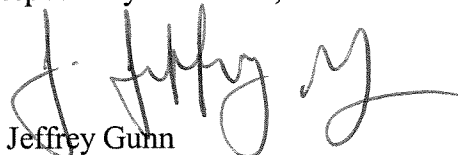
Pursuant to the Decision Granting Petition Under 37 CFR 1.313(c)(2), mailed December 28, 2007 (a copy of which is attached hereto), Applicants respectfully request that the issue fee paid November 9, 2007, in the amount of \$1,020.00 be applied to the issue fee due under the new Notice of Allowance mailed January 30, 2008.

The \$1,020.00 amount previously paid was for payment of the issue fee and the publication fee.

**Serial No. 10/783,981**

This Request is submitted simultaneously with the new Part B – Fee(s) Transmittal (Form PTOL-85) and accompanying papers.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "J. Jeffrey Gunn", is written over the typed name.

J. Jeffrey Gunn  
Registration No. 56,957  
Attorney for Applicant(s)  
TRASKBRITT  
P.O. Box 2550  
Salt Lake City, Utah 84110-2550  
Telephone: 801-532-1922

Date: April 17, 2008  
JJG/nj:slm

Attachment: Copy of Decision on Petition mailed December 28, 2007



RECEIVED

JAN 04 2008

TRASKBRITT, P.C.

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450  
www.uspto.gov

TRASK BRITT  
P.O. BOX 2550  
SALT LAKE CITY, UT 84110

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DEC 28 2007

In re Application of  
Michael J. Simmons, et al.  
Application No.: 10/783,981  
Filed: February 19, 2004  
Attorney Docket No.: 3141-6218US

OFFICE OF PETITIONS  
ON PETITION

This is a decision on the petition, filed December 26, 2007, under 37 CFR 1.313(c)(2) to withdraw the above-identified application from issue after payment of the issue fee.

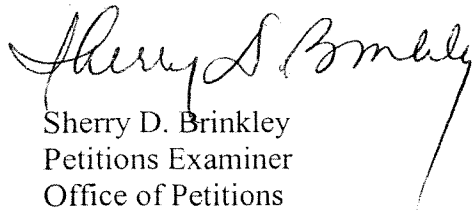
The petition is **GRANTED**.

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). See 37 CFR 1.313(c)(2).

*Petitioner is advised that the issue fee paid on November 9, 2007, in the above-identified application, cannot be refunded. If, however, the above-identified application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.*<sup>1</sup>

Telephone inquiries relating to this decision should be directed to the undersigned at (571) 272-3204.

The application is being referred to Technology Center AU 3781 for further processing of the request for continued examination under 37 CFR 1.114.

  
Sherry D. Brinkley  
Petitions Examiner  
Office of Petitions

<sup>1</sup> The request to apply the issue fee to the new Notice may be satisfied by completing and returning the new Part B - Fee(s) Transmittal Form (along with any balance due at the time of submission). Petitioner is advised that the Issue Fee Transmittal Form must be completed and timely submitted to avoid abandonment of the application.